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PATENT  
Atty. Docket No.: 023070-103031US  
Client Ref. No.: 1992-383-6

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On November 18, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Jo Ann Honcik Dallara  
Jo Ann Honcik Dallara

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

NOBORI et al.

Application No.: 09/780,114

Filed: February 9, 2001

For: NUCLEIC ACIDS ENCODING  
MTASE (AS AMENDED)

Customer No.: 20350

Confirmation No. 8926

Examiner: Jeanine Anne Goldberg

Technology Center/Art Unit: 1634

COMMUNICATION

Commissioner for Patents  
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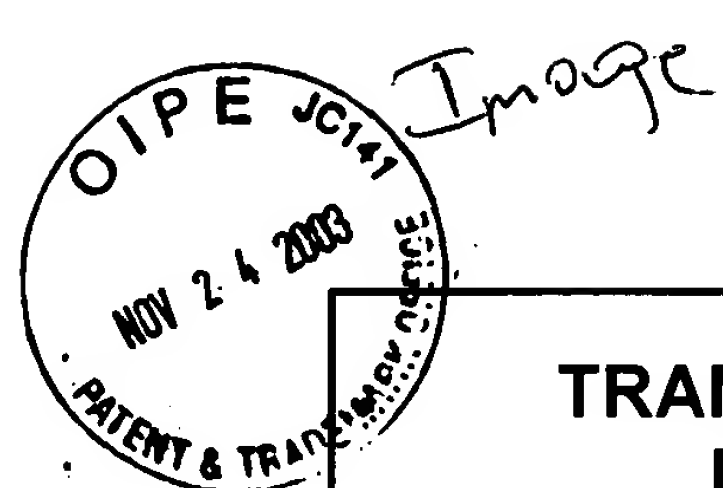
Sir:

Applicants submitted a timely response on October 21, 2003, to the Final Office Action of May 21, 2003, which included a Request for Continued Examination (RCE), an Amendment, and the requisite extension of time. An unsigned Declaration of Inventorship, Exhibit A, was included in the response. Applicants submit, herewith, a signed Declaration of Inventorship to supersede that which was previously sent. No changes have been made to the Declaration.

Respectfully submitted,

Beth L. Kelly  
Beth L. Kelly  
Reg. No. 51,868

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
Attachment  
BLK:jhd



<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/780,114
		Filing Date	February 9, 2001
		First Named Inventor	Nobori, Tsutomu
		Art Unit	1634
		Examiner Name	Jeanine Anne Goldberg
Total Number of Pages in This Submission	7	Attorney Docket Number	02307O-103031US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Communication (1 pg.); Exhibit A--signed Declaration of Inventorship to Amendment dated October 21, 2003; Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Beth L. Kelly Reg. No. 51,868	
Signature		
Date	November 18, 2003	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Jo Ann Honcik Dallara		
Signature		Date	November 18, 2003



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Art Unit: 1634

DECLARATION OF INVENTORSHIP

EXHIBIT A

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We, Tsutomu Nobori, Dennis A. Carson, and Kenji Takabayashi hereby declare:

THAT we are the named and true inventors in the above- referenced patent application, and that we are co-inventors of the subject matter disclosed and claimed in said application, and the only inventors thereof;

THAT we, are co-authors of T. Nobori *et al.*, Genomic cloning of methyladenosine phosphorylase: A purine metabolic enzyme deficient in multiple different cancers, *PNAS* 93:6203-6208 (1996).

THAT to the extent that the subject matter disclosed and claimed in said application is also disclosed in said publication, we two are co-inventors and the only inventors of said subject matter; and

THAT the other co-authors of said publication, P. Tran, L. Orvis, A. Batova, and A. L. Yu, were working under the supervision and direction of at least one of us with regard to the subject matter disclosed in said publication, and although they co-authored the publication, said other co-authors are not co-inventors of the subject matter described therein.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 10/31/03 By Tsutomu Nobori  
Tsutomu Nobori

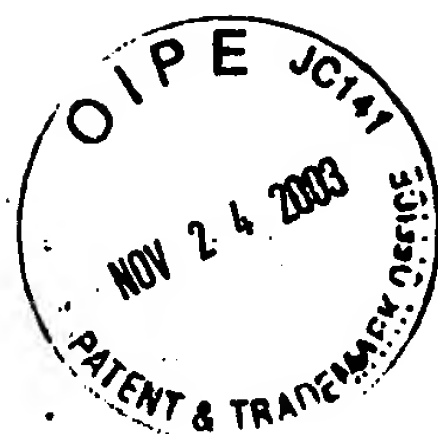
Dated: \_\_\_\_\_ By \_\_\_\_\_  
Dennis A. Carson

Dated: \_\_\_\_\_ By \_\_\_\_\_  
Kenji Takabayashi

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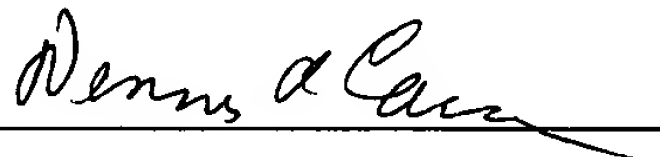
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Dated: \_\_\_\_\_ By \_\_\_\_\_  
Tsutomu Nobori

Dated: 11/2/03 By   
Dennis A. Carson

Dated: \_\_\_\_\_ By \_\_\_\_\_  
Kenji Takabayashi



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Dated: \_\_\_\_\_ By \_\_\_\_\_  
Tsutomu Nobori

Dated: \_\_\_\_\_ By \_\_\_\_\_  
Dennis A. Carson

Dated: X Oct. 30, 2003 By X Kenji Takabayashi  
Kenji Takabayashi